

**Amendments to the Drawings:**

The attached sheets include changes to Figs. 1–18. These sheets replace the original sheets including Figs. 1–18. In the amended drawings, the foreign language has been replaced by English language.

Attachment: Fourteen (14) Replacement Sheets

### **REMARKS/ARGUMENTS**

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 1, 2, 8 and 9 have been canceled. Claims 3, 5–7, 10, 12–14 have been amended.

The drawings are objected to. Formal drawings have been submitted as requested by the Examiner. In the amended drawings, the foreign language has been replaced by English language.

The title of the invention is objected to. A new title has been provided as requested by the Examiner.

Claims 3–7 and 10–14 stand rejected as being anticipated by Logan et al. (U.S. Patent No. 5,721,827). For at least the following reasons, the Examiner's rejection is respectfully traversed.

Logan does not disclose or suggest "meaning information indicating the meaning and contents of said attribute information, ... and an accumulation control section for storing part or whole of said program according to said attribute information that is interpreted based on said meaning information and said user attributes" as recited in claim 3. Similar language is found in claim 10. The Office action cites col. 2, lines 10–24 and col. 10, line 38 to col. 11, line 25 as discloses these elements.

Logan discloses that attributes of each program segment are matched with attributes of the subscriber in order to determine which program segments are most likely to match the subscriber's preferences (col. 2, lines 10–24). In Logan, col. 10, line 38 to col. 11, line 25, merely describe the sequence of events that occur during playback.

Although Logan teaches program segment attributes and subscriber attributes, Logan fails to teach receiving meaning information indicating the meaning and contents of attribute information of the program segments. Therefore, Logan does not disclose or teach all the elements of the claimed invention.

Since Logan fails to teach receiving meaning information, Logan also fails to teach an accumulation control section for storing program segments according to attribute information that is interpreted based on meaning information and subscriber attributes. Therefore, Logan does not disclose or teach all the elements of the claimed invention.

With regards to claim 5, Logan does not disclose or teach “an accumulation control function receiving section for receiving a function program for executing a function of accumulating part or whole of said program and in that said accumulation control section operates based on said function program received by said accumulation control function receiving section” as recited in claim 5. The Office action cites col. 21, line 54 to col. 22, line 5 as disclosing these elements.

In Logan, col. 21, line 54 to col. 22, line 5, only describes fields in the subscriber record including the DataRate field, which indicates the rate at which information can be downloaded to the subscriber, and the Capacity field, which indicates the storage file space in the player.

Neither the DataRate field nor the Capacity field of Logan teach receiving a function program for executing a function of accumulating a program segment. Since Logan does not teach such a function program, Logan also does not disclose or teach that an accumulation control section operates based on a function program. Thus, Logan does not disclose or teach all the elements of the claimed invention.

With regards to claim 12, Logan does not disclose or teach “a step of receiving a function program for executing a function of accumulating part or whole of said program and a step of

executing the function of accumulating part or whole of said program based on said received function program” as recited in claim 12. The Office action cites col. 21, line 54 to col. 22, line 5 as disclosing these elements.

As mentioned previously for claim 5, col. 21, line 54 to col. 22, line 5 in Logan, only describes fields in the subscriber record of the DataRate field, which indicates the rate at which information can be downloaded to the subscriber, and the Capacity field, which indicates the storage file space in the player.

Neither the DataRate field nor the Capacity field of Logan teach receiving a function program for executing a function of accumulating a program segment. Since Logan does not teach such a function program, Logan does not disclose or teach a step of receiving a function program for executing a function of accumulating a program segment. Logan also does not disclose or teach a step of executing a function of accumulating a program segment based on the received function program. Thus, Logan does not disclose or teach all the elements of the claimed invention.

With regards to claim 6, Logan does not disclose or teach “the receiver further having a determining section for determining whether said accumulation control function receiving section has failed to receive said function program from said broadcast or not and an accumulation control function acquiring section for acquiring said function program through a network when said determining section determines that the reception has failed” as recited in claim 6. The Office action cites col. 22, lines 15–44, as disclosing these elements.

In Logan, col. 22, lines 15–44, merely describes the Compilation records, which describe the download requirements for a day and contains fields specifying the times when downloads can be started. In Logan, the compilation records are only used by the server to optimize the

content of the recommend program schedule and not to initiate actual downloads to the player (col. 22, lines 55–63).

As mentioned previously for claims 5 and 12, Logan fails to teach receiving a function program. Logan also fails to disclose or teach determining when such a function program is received and acquiring the function program through a network when reception has failed. Therefore, Logan fails to disclose or teach a determining section and an accumulation control function acquiring section. Thus, Logan does not disclose or teach all the elements of the claimed invention.

With regards to claim 13, Logan does not disclose or teach “said method further including a step of determining whether the reception of said function program from said broadcast has failed or not and a step of acquiring said function program through a network when it is determined that the reception of said function program has failed” as recited in claim 13. The Office action cites col. 22, lines 15–44, as disclosing these elements.

As mentioned previously for claim 6, col. 22, lines 15–44, of Logan merely describes the Compilation records, which describe the download requirements for a day and contains fields specifying the times when downloads can be started. In Logan, the compilation records are only used by the server to optimize the content of the recommend program schedule and not to initiate actual downloads to the player (col. 22, lines 55–63).

Logan fails to disclose or teach such a function program. Logan also fails to teach a step of determining when a function program is received and a step of acquiring the function program through a network when reception has failed. Thus, Logan does not disclose or teach all the elements of the claimed invention.

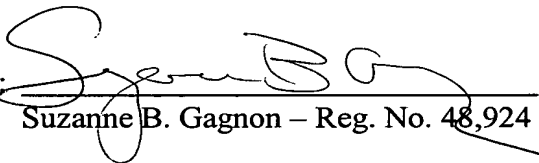
In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the

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application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33883.

Respectfully submitted,  
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